



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.: 09/848,218

Confirmation No.: 6395

In re Application of:

Toshinori MAEDA et al.

Group Art Unit: 2133

Filed: May 4, 2001

Examiner: Joseph D. Torres

For: ERROR CORRECTION DEVICE

CONFIRMATION OF TELEPHONE ELECTION

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RECEIVED  
DEC 09 2004  
Technology Center 2100

Sir:

The Examiner in charge of the above-identified application telephoned applicants' representatives on December 3, 2004, to communicate a Restriction Requirement under 35 U.S.C. §121 among the following:

Group I corresponds to claims 1, 2, 12, 16, 20, 24, 31, 35, 39, 43, and 47;

Group II corresponds to claims 3 and 4;

Group III corresponds to claims 5 and 6;

Serial No.: 09/848,218

Group IV corresponds to claims 7-11, 13-15, 17-19, 21-23, 25-27, 32-34, 36-38, 40-42, 44-46 and 48-50;

Group V corresponds to claims 28 and 29; and

Group VI corresponds to claim 30.

In response to that requirement, applicants' undersigned representative made a provisional election during a telephone conference with the Examiner on December 7, 2004 to prosecute the invention of Group I (i.e., claims 1, 2, 12, 16, 20, 24, 31, 35, 39, 43 and 47) in this application. Applicants' undersigned representative hereby confirms that this provisional election was made with traverse, since no adequate basis therefor has yet been stated in the record.

Search and examination of the entire application can be made without serious burden. See MPEP §803 which states that "[i]f the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits." This policy should apply in the present application to avoid unnecessary

Serial No.: 09/848,218

delay and expense to applicants and unnecessary duplicative examination by the USPTO.

Respectfully submitted,

PARKHURST & WENDEL, L.L.P.

December 7, 2004

Date

  
Roger W. Parkhurst

Registration No. 25,177

Robert N. Wieland

Registration No. 40,225

RWP:RNW/mhs

Attorney Docket No.: OGOH:076

PARKHURST & WENDEL, L.L.P.

1421 Prince Street, Suite 210

Alexandria, Virginia 22314-2805

Telephone: (703) 739-0220